

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SANDY J. BATTISTA,
Plaintiff,

vs.

ROBERT MURPHY, Superintendent, et al.,
Defendant's.

FILED
CLERK'S OFFICE

2004 NOV -1 P 2:47

U.S. DISTRICT COURT
C.A. NO. 04-10226-MEL.

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL

Plaintiff, Sandy J. Battista, acting pro-se in the above entitled matter, hereby gives notice of her voluntary dismissal of the Complaint in this action. As reasons, plaintiff states as follows:

- 1) On 5/25/04, this Court (Lasker, J.) denied plaintiff's Application to Proceed Without Prepayment of Fees.
- 2) On 6/1/04, plaintiff filed her notice of intent to file an [Interlocutory Appeal] to the United States Court of Appeals from this Court's denial of her application.
- 3) On 10/13/04, the Appeal's Court denied plaintiff's interlocutory appeal, declaring that this Court did not error in denying plaintiff's request to proceed in forma pauperis.
- 4) As of date, plaintiff's funds have depleted drastically since her original filings above, due to necessary personal hygiene and clothing purchases. And as such, plaintiff is [at present] without adequate funds to pay the filing fee in this matter, and therefore, must under duress voluntarily abandon the action at issue.

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Dated: 10/21/04.

Respectfully submitted,


Sandy J. Battista, #M-15930
Plaintiff/Pro-se
Mass. Treatment Center
30 Administration Rd.
Bridgewater, Mass. 02324

Sandy J. Battista, #M-15930
Mass. Treatment Center
30 Administration Rd.
Bridgewater, Mass. 02324

Dated: 10/21/04.

Clerk of Court's
U.S. District Court
1 Courthouse Way, Suite 2300
Boston, Mass. 02210

RE: Battista vs. Murphy, Superintendent, et al.
C.A.No.04-10226-MEL.

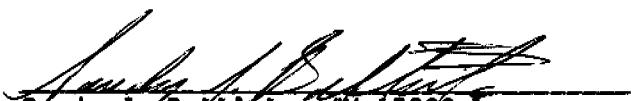
Dear Clerk:

Please find enclosed for filing in the above-entitled matter the following:

- Plaintiff's Notice of Voluntary Dismissal.

Thank you for your attention in this matter.

Sincerely,



Sandy J. Battista, #M-15930
Plaintiff, Pro-se

cc: S.J.B.(FILE)